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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,689	07/14/2003	Hiromichi Ito	500.42924X00	3747
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EXAMINER				
ISMAIL, SHAWKI SAIF				
ART UNIT		PAPER NUMBER		
2455				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/617,689

Applicant(s)

ITO, HIROMICHI

Examiner

SHAWKI S. ISMAIL

Art Unit

2455

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

RESPONSE TO AMEDMENT

1. This communication is responsive to amendments received on December 19, 2008.

Claims 2-6 have been amended and are pending further examination.

The New Grounds of Rejection

2. Applicant's amendment and arguments received on October 18, 2008 have been fully considered, however they are deemed to be moot in view of the new grounds of rejection.

Specification

3. The new title submitted and the claim amendments have overcome the specification objections raised in the previous action. Therefore the objections are hereby withdrawn

Claim Rejections - 35 USC § 112

4. The amendment have overcome the 112 rejection raised in the previous action;
Therefore, the rejection is hereby withdrawn.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claim 2-6 are rejected under 35 U.S.C. 101 because the claims are directed toward non-statutory subject matter. The claims are directed toward an apparatus claims, however the body of the claims do not recite any hardware elements associated with the claimed apparatus. Lacking any hardware or combination of hardware and software elements, the claims merely recite software elements and as such render the claims software per se or program per se. Therefore, the claims are rejected under 101 for being directed to software pre se.

Claim Rejections - 35 USC §102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

7. Claims 2-3 and 6, are rejected under 35 U.S.C. 102(e) as being anticipated by **Seppala et al**, (hereinafter referred to as Seppala) U.S. Patent No. **7,120,131**

8. As to claim 3, Seppala teaches a third information processing apparatus provided on a network and performing rent-out of an address, said third information processing apparatus comprising:

a .global Internet Protocol (IP) address pool including rent-out .global addresses
(assigned COA address associated with the mobile device in a visited network);

correspondence information having a correspondence relationship among an Original
global IP address, rent-out global address, and a .global address of a second information
processing apparatus (col. 6, lines 12-23, COA list),

wherein said original .global IP address is allocated to a first information processing
apparatus (col. 1, lines 34-36, the original address is the Home address of the mobile node,

wherein said rent-out .global IP address is set to said first information processing
apparatus by said third information processing apparatus (col. 1, line 51 – col. 2, line 7, the COA
address is allocated to the mobile node when visiting a different network), and

wherein said second information processing apparatus is a partner information processing apparatus with which said first information processing apparatus performs communication using said rent-out global IP address (col. 6, lines 34-46, communication between the mobile node and other nodes is accomplished through the COA).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Seppala et al**, (hereinafter referred to as Seppala) U.S. Patent No. **7,120,131** in view of **Saito** U.S. Patent No. **7,317,798**.

As to claim 4, Seppala teaches the claimed invention as described above, Seppala does not explicitly teach wherein, in response to an inquiry from said second information processing apparatus, said third information processing apparatus notifies said second information processing apparatus, with encrypted communication, of said inherent global address allocated to said first information processing apparatus

Saito teaches a communication processing system, a communication processing method, a server, and a computer program, which allow a secure communication between communication terminals. Saito teaches the aforementioned secure communication between a calling party and a server when a calling party wishes to identify a called party's address and location data to place a call to the called party. The server generates address data of the called party, encrypts the

address data using a private key established previously and transmits the encrypted address data to the calling terminal (col. 6, lines 29-44 and col. 14, lines 37-48).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Saito into the invention of Seppala in order to enable a recipient of an email which was sent utilizing the alias email address to find out the true email address of the sender in a secure manner. The server would disclose the true email of the sender to trustworthy recipients to enable them to communicate with the sender directly. This type of secure communication would safeguard the sender from having to disclose his/her email address in an email in plaintext and have it become susceptible to interception from would be spammers (refer to Saito, col. 4, lines 42-54).

11. As to claim 5, Seppala teaches the claimed invention as described above, Seppala does not explicitly teach wherein permission to issue said notification is given only in a case of a combination of said global address of said second information processing apparatus and said inherent global address allocated to said first information processing apparatus, said global address of said second information processing apparatus and said inherent global address having a correspondence relationship in said correspondence information, and no permission is given to said notification in a case of a combination that does not exist in said correspondence information (refer to Saito col. 6, lines 29-44 and col. 14, lines 37-48, the encrypted address data of the called party is made available to the calling party only when the calling party contains the correct public/private key combination issued to both the called and calling party by the server.)

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Saito into the invention of Seppala in order to enable a

recipient of an email which was sent utilizing the alias email address to find out the true email address of the sender in a secure manner. The server would disclose the true email of the sender to trustworthy recipients who contains the correct public/private key combination to enable them to communicate with the sender directly, This type of secure communication would safeguard the sender from having to disclose his/her email address in an email in plaintext and have it become susceptible to interception from would be spammers (refer to Saito, col. 4, lines 42-54).

12. With regards to claim 2 and 6, they essentially contains similar limitations as that addressed in claim 3-5 above, therefore they are rejected for similar reasons.

Prior Art of Record

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to form PTO-892 (Notice of Reference Cited) for a list of relevant prior art.

Response to Arguments

Applicant's arguments have been fully considered, however they are deemed moot in new of the new ground(s) of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Shawki S Ismail/
Examiner, Art Unit 2155
March 15, 2009